



November 8, 2010

**RE: Chesapeake TMDL and its impact on West Virginia
Docket ID No. EPA-RO3-OW-2010-0736**

Dear United States Environmental Protection Agency:

The Eastern Panhandle Regional Planning and Development Council-Region 9 held its regular Full Council meeting on October 18, 2010. At this meeting the Council established a committee to address EPA's comments on the deficiencies of West Virginia's Watershed Implementation Plan (WIP) and over the concerns of limited availability of federal and/or state funds for these mandates. Jefferson County Commissioner, Lyn Widmyer was asked to chair this committee.

EPA held a Public meeting in Martinsburg, WV on Wednesday, November 3. At this meeting EPA indicated any public comment for the record needed to be submitted electronically to EPA via www.regulations.gov, Docket ID No. EPA-RO3-OW-2010-0736.

The following are comments submitted to me from Jefferson County Commissioner, Lyn Widmyer, Region 9 Chesapeake Bay Committee Chair:

"We state in the strongest terms that EPA should recognize and continue longstanding DEP target standards of 5 mg/L TN and .5 mg/L TP rather than impose more restrictive standards of .3 and .1. The proposed federal "backstop" standards are fiscally devastating and from a clean water perspective, unnecessarily stringent.

The state of West Virginia has been working for years through its stream restoration program using the 5/5 standards. It is unreasonable and unrealistic to impose more stringent standards now. We understand from the meetings we have attended on the TDML that the "backstop" standards are the "gold-plated" maximum achievable goals given cutting edge technology and state of the art treatment plants.

We suggest the goal of fishable and swimmable waters can be attained with the 5/5 standards and urge EPA to use those standards."

Sincerely,

Carol A Crabtree
Executive Director